

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVITA M. KEY,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:19-CV-767-ECM
)	
HYUNDAI MOTOR)	
MANUFACTURING, ALABAMA,)	
LLC; HYUNDAI ENG AMERICA,)	
INC.; and DYNAMIC SECURITY,)	
INC.)	
)	
Defendants.)	

PLAINTIFF'S WITNESS LIST

**Exhibit A – Deposition of Dynamic Security's
30(b)(6) Deponent (Kristal Riddle)**

Case	Key, Davita
Issue Code	Depo Designations

RIDDLE, KRISTAL 8/19/22 VOL 1		
1	009:17 - 009:19	009:17 KRISTAL RIDDLE 18 being first duly sworn, was examined 19 and testified as follows:
2	009:23 - 010:03	009:23 Q. All right, Ms. Riddle, we're going to 010:01 get started today. If you could first just 02 please state your name for the record. 03 A. My name is Kristal Riddle.
3	010:07 - 010:09	010:07 Q. And who do you work for? 08 A. I work for Dynamic Security 09 Incorporated.
4	013:09 - 015:03	013:09 Q. Okay. Can you tell me how large -- 10 how many employees does Dynamic Security have? 11 A. Company wide, 1300 at this point. 12 Q. Are those all in Alabama? 13 A. No. 14 Q. Okay. Where does Dynamic Security 15 operate? 16 A. We have operations in Illinois, 17 Tennessee, Georgia, Florida, Mississippi, North 18 Carolina. I'm making sure I didn't leave 19 anyone out. So Alabama, Florida, Georgia, 20 Mississippi, North Carolina, Illinois. That -- 21 that covers our footprint. 22 Q. Okay. And what does Dynamic Security 23 do? 014:01 A. Dynamic Security places security 02 officers on multiple types of facilities: 03 Manufacturing, retail, hospitals, gated 04 communities. So any place that requires or 05 desires a human being to monitor the perimeters 06 or the safety or the incoming, outgoing 07 traffic. 08 Q. Okay. And are all the security 09 officers armed? 10 A. No. 11 Q. But some of them are?

		<p>12 A. Some.</p> <p>13 Q. How do you determine who is armed and</p> <p>14 who is not armed?</p> <p>15 A. It's based on the client's -- the</p> <p>16 client's decision whether they want to go armed</p> <p>17 or not.</p> <p>18 Q. How long have you worked for Dynamic</p> <p>19 Security?</p> <p>20 A. I've worked for Dynamic Security</p> <p>21 since 1995.</p> <p>22 Q. And what is your job title?</p> <p>23 A. My job title is chief legal officer.</p> <p>015:01 Q. How long have you been the chief</p> <p>02 legal officer?</p> <p>03 A. Since 2010.</p>
5	015:07 - 017:08	<p>015:07 Q. What was your position before chief</p> <p>08 legal officer?</p> <p>09 A. Before chief legal officer, the</p> <p>10 position was roughly the same, but the title</p> <p>11 was legal affairs coordinator.</p> <p>12 Q. But the duties and responsibilities</p> <p>13 were the same?</p> <p>14 A. That's correct.</p> <p>15 Q. And when -- what time period were you</p> <p>16 the legal affairs coordinator?</p> <p>17 A. 2000 -- 2001 to 2010.</p> <p>18 Q. Okay. And before you were the legal</p> <p>19 affairs coordinator, what was your position?</p> <p>20 A. I was -- I was our IT department.</p> <p>21 Q. Okay. And was that from '95 until</p> <p>22 you became legal affairs?</p> <p>23 A. Yes.</p> <p>016:01 Q. Okay. And as the chief legal affairs</p> <p>02 officer -- well, let me ask it this way. Were</p> <p>03 you the chief legal affairs officer in 2017?</p> <p>04 A. Yes.</p> <p>05 Q. Okay. As the chief legal affairs</p> <p>06 officer, what were your duties and</p> <p>07 responsibilities?</p> <p>08 A. Duties and responsibilities involve</p> <p>09 intercepting EEOC position statement requests,</p> <p>10 investigating the situation, creating and</p>

		<p>11 producing the position statement, and</p> <p>12 coordinating attorney interactions in any</p> <p>13 lawsuits that were filed against the company.</p> <p>14 Q. Okay. Is there anything else that</p> <p>15 you would do as your duties and</p> <p>16 responsibilities outside of responding to</p> <p>17 lawsuits and EEOC charges?</p> <p>18 A. I'm not sure. Could you rephrase</p> <p>19 that? Restate that please.</p> <p>20 Q. Yeah. So you identified EEOC charges</p> <p>21 and lawsuits as part of your duties. Would</p> <p>22 those duties keep you occupied full time, or</p> <p>23 were there other things that you would do as</p> <p>017:01 the chief legal officer?</p> <p>02 A. I'm still involved in the IT</p> <p>03 department.</p> <p>04 Q. Okay. Were you involved at all in</p> <p>05 conducting EEOC training?</p> <p>06 A. Yes.</p> <p>07 Q. Would that be for training new hires</p> <p>08 or just upon receipt of complaints?</p>
6	017:18 - 018:17	<p>017:18 A. My training involves upper management</p> <p>19 and middle management specifically.</p> <p>20 Q. What type of training would you</p> <p>21 provide to upper and middle management?</p> <p>22 A. Generalizations on EEOC. I always</p> <p>23 use a PowerPoint. But it's basic overviews of</p> <p>018:01 the EEOC, what is -- what is covered under</p> <p>02 Title Seven, and the other laws that come into</p> <p>03 play such as ADA, GINA -- the GINA Act. And</p> <p>04 then I also specifically train regarding</p> <p>05 harassment and with a emphasis on sexual</p> <p>06 harassment.</p> <p>07 Q. How often would you conduct this</p> <p>08 training with upper and middle management?</p> <p>09 A. Annually.</p> <p>10 Q. Annually. Was -- is this -- tell me</p> <p>11 how the training takes place. Like, is</p> <p>12 everybody in a room together, do you go office</p> <p>13 to office, how does that work?</p> <p>14 A. We have two meetings per year for</p> <p>15 upper management and middle management and</p>

		<p>16 includes branch management as well. We gather</p> <p>17 in one place, and I present at that time.</p>
7	018:22 - 020:13	<p>018:22 Q. Okay. When would that be?</p> <p>23 A. We have a meeting in June, and we</p> <p>019:01 also have a meeting in December.</p> <p>02 Q. And do you do the EEOC-type training</p> <p>03 at the June and December meetings?</p> <p>04 A. Typically this is done at the</p> <p>05 December meeting.</p> <p>06 Q. Okay.</p> <p>07 A. But I am flexible and I have done it</p> <p>08 in the June meetings and I have done it more</p> <p>09 than once a year.</p> <p>10 Q. How do you handle if an upper or</p> <p>11 middle manager is hired in between those time</p> <p>12 periods? How do they obtain the training?</p> <p>13 A. I'll send the EEOC PowerPoints so</p> <p>14 that they can review those.</p> <p>15 Q. Okay. So you -- you send those by</p> <p>16 e-mail?</p> <p>17 A. Typically.</p> <p>18 Q. Do you offer to go over those with</p> <p>19 them? Do you send a questionnaire?</p> <p>20 A. I make it known that I am available</p> <p>21 at any time to sit down and discuss the</p> <p>22 presentation.</p> <p>23 Q. Do they have to acknowledge that</p> <p>020:01 they've received it and reviewed it in any way?</p> <p>02 A. No.</p> <p>03 Q. Okay. As the chief legal affairs</p> <p>04 officer, who do you report to?</p> <p>05 A. I report to the executive</p> <p>06 vice-president of Dynamic Security.</p> <p>07 Q. And who is that?</p> <p>08 A. The executive vice-president is named</p> <p>09 Scott Riddle.</p> <p>10 Q. Can you spell the last name?</p> <p>11 A. R-I-D-D-L-E.</p> <p>12 Q. Any relation?</p> <p>13 A. My husband.</p>
8	021:02 - 021:17	<p>021:02 Q. Who -- as the executive</p> <p>03 vice-president, who does Scott report to?</p>

		<p>04 A. Scott reports to the president and</p> <p>05 CEO of the company.</p> <p>06 Q. And who is that?</p> <p>07 A. That is John Riddle.</p> <p>08 Q. And what is your relation to John?</p> <p>09 I'm just going to assume there is one.</p> <p>10 A. He is my father-in-law.</p> <p>11 Q. Okay. And how long has he been the</p> <p>12 president and CEO?</p> <p>13 A. Since the company was incorporated in</p> <p>14 1971.</p> <p>15 Q. Do you guys have any ownership</p> <p>16 interest in the company?</p> <p>17 A. No.</p>
9	022:05 - 022:14	<p>022:05 Q. Okay. Is there anyone, what I'll</p> <p>06 call linear to you, that also reports to Scott?</p> <p>07 A. The vice-president of operations.</p> <p>08 Q. And who is that?</p> <p>09 A. His name's Tracey Peoples.</p> <p>10 Q. Okay. And how long has Tracey been</p> <p>11 the vice-president of op's?</p> <p>12 A. Three -- four years now.</p> <p>13 Q. Was Tracey VP of op's in 2017?</p> <p>14 A. No.</p>
10	050:03 - 051:07	<p>050:03 Q. Okay. So in Exhibit 27, throughout</p> <p>04 all of the handbook, do you see anything in</p> <p>05 there -- can you identify for me if there is a</p> <p>06 policy regarding pregnancy discrimination?</p> <p>07 A. There is not a policy discrimination</p> <p>08 statement in the handbook.</p> <p>09 Q. Okay. Does Dynamic Security have a</p> <p>10 policy regarding pregnancy discrimination?</p> <p>11 A. We do.</p> <p>12 Q. Okay. Where would that policy be?</p> <p>13 A. The policy is in our policy and</p> <p>14 procedure manual.</p> <p>15 Q. And who would receive a copy of the</p> <p>16 policy and procedure manual?</p> <p>17 A. The policy and procedural manual is</p> <p>18 kept in the branch office in a three-ring</p> <p>19 binder.</p> <p>20 Q. Is this policy and procedure manual</p>

		<p>21 something that is reviewed with all new hires?</p> <p>22 A. No.</p> <p>23 Q. Okay. How would an employee know</p> <p>051:01 about the policy and procedure manual?</p> <p>02 A. During training, the policy and</p> <p>03 procedure manual is referenced, and the person</p> <p>04 who's going through the training is given the</p> <p>05 opportunity to look through and see if they</p> <p>06 have anything that makes them ask -- want to</p> <p>07 ask a question.</p>
11	051:13 - 052:01	<p>051:13 Q. With regard to retaliation in</p> <p>14 Exhibit 27, is there a policy or procedure that</p> <p>15 references retaliation?</p> <p>16 A. There is not a reference to</p> <p>17 retaliation in this particular handbook.</p> <p>18 Q. Okay. But does Dynamic Security have</p> <p>19 a policy and procedure with regard to</p> <p>20 retaliation?</p> <p>21 A. Yes.</p> <p>22 Q. And would that also be in the policy</p> <p>23 and procedure manual?</p> <p>052:01 A. Yes.</p>
12	052:11 - 053:14	<p>052:11 Q. I'm going to show you Exhibit 52.</p> <p>12 And we're not going to go into this right now</p> <p>13 but I just want to identify. If you'll flip</p> <p>14 through that and tell me, are the documents</p> <p>15 contained in Exhibit 52 documents that would</p> <p>16 have come from the policy and procedure manual?</p> <p>17 A. These are policies that would have</p> <p>18 come from the Dynamic Security policy and</p> <p>19 procedures manual.</p> <p>20 Q. Other than the policies listed in</p> <p>21 Exhibit 52, are there additional policies and</p> <p>22 procedures related -- for Dynamic Security</p> <p>23 related to harassment, EEO policies,</p> <p>053:01 retaliation, or pregnancy?</p> <p>02 A. I'm not sure what you're asking.</p> <p>03 Q. So Exhibit 52 contains, I think, four</p> <p>04 separate headings within the document. Other</p> <p>05 than those four policies, does Dynamic Security</p> <p>06 have other policies and procedures that would</p> <p>07 apply to harassment, retaliation, pregnancy, or</p>

		<p>08 other EEOC-type issues, discrimination?</p> <p>09 A. No. These are our core policies</p> <p>10 regarding issue.</p> <p>11 Q. You said these are the core policies.</p> <p>12 I just want to be clear, are these the only</p> <p>13 policies?</p> <p>14 A. They are the only policies.</p>
13	053:20 - 053:23	<p>053:20 Okay. Can you tell me, Mrs. Riddle</p> <p>21 -- can you tell me what do you understand to be</p> <p>22 discrimination? What type of conduct would you</p> <p>23 define as discrimination?</p>
14	054:05 - 054:10	<p>054:05 A. Discrimination, in my opinion, is</p> <p>06 when someone takes an action against another</p> <p>07 person which is based on a characteristic that</p> <p>08 the individual doesn't necessarily have -- have</p> <p>09 control over and treating an individual</p> <p>10 differently because of that situation.</p>
15	055:18 - 056:01	<p>055:18 Q. Mrs. Riddle, let me rephrase. As the</p> <p>19 chief legal officer, is it your job to deal</p> <p>20 with complaints related to discrimination?</p> <p>21 A. It is.</p> <p>22 Q. And in dealing with those complaints,</p> <p>23 how would you, as the chief legal officer,</p> <p>056:01 determine whether discrimination had occurred?</p>
16	056:03 - 057:21	<p>056:03 A. I rely on the reports that I'm</p> <p>04 provided. I rely upon the -- the statements</p> <p>05 that I'm given from the person who's making the</p> <p>06 complaint. I rely on the reports from</p> <p>07 investigation that occurred on the ground by</p> <p>08 our local branch management. I rely on witness</p> <p>09 statements if there are any. I take -- that's</p> <p>10 what I take into account.</p> <p>11 Q. And in relying on those reports and</p> <p>12 witness statements, do you also look at other</p> <p>13 documents or e-mails or communications as they</p> <p>14 may relate to the events in question?</p> <p>15 A. If they're relevant.</p> <p>16 Q. And with regard to -- what did I ask,</p> <p>17 discrimination -- with regard to retaliation as</p> <p>18 the chief legal affairs -- no chief legal</p> <p>19 officer, how would you make a determination as</p> <p>20 to whether someone's complaint constituted</p>

		<p>21 retaliation?</p> <p>22 A. In much the same manner.</p> <p>23 Q. And with respect to Ms. Key in 2017,</p> <p>057:01 has Dynamic Security evaluated whether</p> <p>02 Ms. Key's complaint constituted discrimination</p> <p>03 or retaliation?</p> <p>04 A. Yes.</p> <p>05 Q. Okay. And who made that evaluation?</p> <p>06 A. I did.</p> <p>07 Q. Okay. And what was determined in</p> <p>08 that evaluation?</p> <p>09 A. The determination in that evaluation</p> <p>10 was that I did not believe that retaliation had</p> <p>11 occurred. I did not believe discrimination had</p> <p>12 occurred. It seemed obvious that the problem</p> <p>13 was that she was not following the instructions</p> <p>14 of Cassandra Williams regarding her hairstyle.</p> <p>15 Q. What documents did you review in</p> <p>16 making that determination with regard to</p> <p>17 Ms. Key?</p> <p>18 A. I reviewed the e-mail that was sent</p> <p>19 to Ray Cureton by Cassandra. I also relied on</p> <p>20 the statement by Latunya Howell and the</p> <p>21 statement from Gloria Robinson.</p>
17	058:18 - 059:05	<p>058:18 Q. When did you make this determination</p> <p>19 with regard to Ms. Key's complaint?</p> <p>20 A. I made the determination during the</p> <p>21 time that I was working on the position</p> <p>22 statement for EEOC.</p> <p>23 Q. When was that, do you remember?</p> <p>059:01 A. I received the statement -- I</p> <p>02 received the request for position statement on</p> <p>03 August 11th -- 11th or 12th, 2017, and spent</p> <p>04 30 days reviewing the documentations and going</p> <p>05 back through them.</p>
18	060:04 - 060:09	<p>060:04 Q. Okay. And so during that time</p> <p>05 period -- so we're talking, I think,</p> <p>06 August 1st, 2017, around there -- did you</p> <p>07 consider Cassandra Williams as an employee for</p> <p>08 HMMA?</p> <p>09 A. Yes.</p>
19	062:16 - 063:18	<p>062:16 Q. Okay. And do you recall that one of</p>

		<p>17 the allegations that Ms. Key made was that she</p> <p>18 had been terminated by Dynamic Security?</p> <p>19 A. I do recall that, yes.</p> <p>20 Q. And that would have been after her</p> <p>21 removal from Hyundai; correct?</p> <p>22 A. She would have stated that she was</p> <p>23 dismissed after she was removed from Hyundai.</p> <p>063:01 Q. Okay. Did you make any determination</p> <p>02 with regard to whether her removal from Dynamic</p> <p>03 Security constituted discrimination or</p> <p>04 retaliation?</p> <p>05 A. My determination was that it did not</p> <p>06 because we were perfectly willing to continuing</p> <p>07 employing her. She was offered other positions</p> <p>08 at other clients, and she declined them.</p> <p>09 Q. Okay. What -- when did you make that</p> <p>10 determination?</p> <p>11 A. During the same time period.</p> <p>12 Q. And what other positions had she been</p> <p>13 offered?</p> <p>14 A. I am aware that she had been offered</p> <p>15 a position at Koch Foods, and I am aware that</p> <p>16 she was offered a position at Mobis.</p> <p>17 Q. And that was two positions?</p> <p>18 A. Correct. Two separate choices.</p>
20	064:02 - 064:09	<p>064:02 in -- over what period of time was Ms. Key</p> <p>03 offered these two positions?</p> <p>04 A. My understanding is that Ms. Key was</p> <p>05 offered the two positions almost immediately</p> <p>06 after the situation at HMMA.</p> <p>07 Q. And was she offered anymore positions</p> <p>08 after that?</p> <p>09 A. Not that I am aware of.</p>
21	066:08 - 066:18	<p>066:08 Q. Can you tell me what knowledge you</p> <p>09 have about the circumstances of Ms. Key's</p> <p>10 hiring by Dynamic Security?</p> <p>11 A. My knowledge of the hiring of</p> <p>12 Ms. Keys by Dynamic Security is that she</p> <p>13 responded to an Indeed ad. Which through the</p> <p>14 information there, she contacted Gloria</p> <p>15 Robinson and arranged an interview.</p> <p>16 Q. And what was the substance of the ad</p>

		<p>17 that she responded to?</p> <p>18 A. I don't know.</p>
22	067:10 - 067:13	<p>067:10 Q. You said she responded to an Indeed</p> <p>11 ad. Who would she have been responding to?</p> <p>12 A. I believe she responded directly to</p> <p>13 Gloria Robinson.</p>
23	071:16 - 072:19	<p>071:16 Q. So we were discussing how Davita Key</p> <p>17 came to work at Dynamic Security. How was</p> <p>18 she -- once she was hired, how was she assigned</p> <p>19 to Hyundai?</p> <p>20 A. That was really -- that was what they</p> <p>21 were hiring for. They had the -- they had</p> <p>22 openings at Hyundai, and so that would have</p> <p>23 been what came up first for her assignment.</p> <p>072:01 Q. And did you say earlier that Gloria</p> <p>02 Robinson would have been involved in her</p> <p>03 hiring?</p> <p>04 A. Yes.</p> <p>05 Q. Okay. How would Gloria have been</p> <p>06 involved in her hiring?</p> <p>07 A. Gloria would do the initial</p> <p>08 interview.</p> <p>09 Q. And once that initial interview was</p> <p>10 complete, how would she be hired from that</p> <p>11 point?</p> <p>12 A. Once the initial interview was</p> <p>13 complete, she would have been instructed to go</p> <p>14 to the local Montgomery office, present to Ray</p> <p>15 Cureton, and at that point, the paperwork would</p> <p>16 begin.</p> <p>17 Q. Okay. Do you have any knowledge of</p> <p>18 whether Cassandra Adams -- Cassandra Williams</p> <p>19 was involved in her initial interview?</p>
24	072:22 - 072:23	<p>072:22 THE WITNESS: That's kind of</p> <p>23 complicated.</p>
25	073:05 - 073:22	<p>073:05 A. I don't know that she was -- I do not</p> <p>06 know if Cassandra was present for the initial</p> <p>07 interview that was conducted between Keys and</p> <p>08 Robinson. But Ms. Williams would have the --</p> <p>09 Ms. Williams would meet with the employees that</p> <p>10 were being interviewed and considered to be</p> <p>11 placed at the Hyundai facility.</p>

		<p>12 Q. Okay. When would she meet with those</p> <p>13 employees?</p> <p>14 A. At the time that it was convenient.</p> <p>15 I don't know -- I don't know that there was a</p> <p>16 set schedule for that.</p> <p>17 Q. Would that have been before she was</p> <p>18 offered -- before Davita Key was offered the</p> <p>19 job?</p> <p>20 A. I don't know.</p> <p>21 Q. How do you know that Cassandra</p> <p>22 Williams would meet with the employees?</p>
26	074:01 - 075:05	<p>074:01 A. It was standard.</p> <p>02 Q. What would be the purpose of that</p> <p>03 meeting?</p> <p>04 A. I don't know.</p> <p>05 Q. Is that something that the client</p> <p>06 requested?</p> <p>07 A. I believe that is the case.</p> <p>08 Q. And we keep saying the client because</p> <p>09 that's Dynamic's phrase for all their clients;</p> <p>10 right? When we're talking about Hyundai, who's</p> <p>11 the client?</p> <p>12 A. The client is Hyundai. The client is</p> <p>13 MMA. Technically we should refer to</p> <p>14 Ms. Williams as the client contact.</p> <p>15 Q. Okay. So you said MMA, did you mean</p> <p>16 HMMA?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And Ms. Williams would be the</p> <p>19 client contact?</p> <p>20 A. Correct.</p> <p>21 Q. How do you determine who the client</p> <p>22 contact is?</p> <p>23 A. The client assigns -- assigns that</p> <p>075:01 position.</p> <p>02 Q. Is there any documentation that would</p> <p>03 show HMMA as a client or Ms. Williams as a</p> <p>04 client contact?</p> <p>05 A. No, not to my knowledge.</p>
27	089:15 - 089:19	<p>089:15 Q. Are you aware of whether Dynamic</p> <p>16 Security disciplined Ms. Key for anything while</p> <p>17 she was with Dynamic Security?</p>

		<p>18 A. Dynamic did not discipline Ms. Key</p> <p>19 for anything while she was with Dynamic.</p>
28	094:14 - 094:15	<p>094:14 Can you tell me what happened with</p> <p>15 Davita Key's assignment at Hyundai?</p>
29	094:17 - 095:22	<p>094:17 A. My understanding is that, during the</p> <p>18 interview process when Davita met with</p> <p>19 Ms. Williams, she was told that her hairstyle</p> <p>20 was not permitted by the rules and by the</p> <p>21 policies of HMMA and that she would have to</p> <p>22 have something done with it because she could</p> <p>23 not wear dreadlocks on the facility property.</p> <p>095:01 There was a discussion about what she</p> <p>02 could do, how this could be taken care of.</p> <p>03 There was -- to my understanding, there was a</p> <p>04 discussion, there was a picture that was looked</p> <p>05 at, and when Ms. Key came to work at the</p> <p>06 facility on July 31st, she had not had her hair</p> <p>07 redone as she had been directed to by</p> <p>08 Ms. Williams. She was released from the day</p> <p>09 early and told to do something about the hair</p> <p>10 because she couldn't be on the facility with</p> <p>11 her hair in dreadlocks.</p> <p>12 She returned on August 1st wearing a</p> <p>13 hat, and I don't really know beyond that other</p> <p>14 than what's been in the reports. To our</p> <p>15 knowledge, there was a confrontation about the</p> <p>16 hat, about the hair. She was once again told</p> <p>17 she had to remove the dreadlocks or she had to</p> <p>18 find an alternate hairstyle, and she stated</p> <p>19 that she wanted to file a complaint. And she</p> <p>20 was directed to go to the Montgomery office to</p> <p>21 file a complaint with -- and present it to Ray</p> <p>22 Cureton.</p>
30	096:08 - 096:09	<p>096:08 Q. I'm going to show you Plaintiff's</p> <p>09 Exhibit Number 29.</p>
31	096:13 - 096:19	<p>096:13 Q. Have you seen that document before?</p> <p>14 A. I have seen this document before.</p> <p>15 Q. Okay. What is that?</p> <p>16 A. This is the handwritten complaint by</p> <p>17 Davita Key that was presented in the office --</p> <p>18 Dynamic Security office in Montgomery on</p>

		19 August 1st, 2017.
32	097:02 - 097:04	<p>097:02 Q. Who at Dynamic Security knew that</p> <p>03 Ms. Key filed this complaint on August 1st,</p> <p>04 2017?</p>
33	097:07 - 099:01	<p>097:07 A. Ray Cureton was aware that she filed</p> <p>08 the complaint. Nicole Scavella was in the</p> <p>09 office at the time and would have been aware.</p> <p>10 And then Sherry Spiers was briefed by Ray</p> <p>11 Cureton regarding the making of the complaint.</p> <p>12 Q. Okay. At what point did you become</p> <p>13 -- let me ask -- did you become aware of the</p> <p>14 complaint?</p> <p>15 A. I became aware of the complaint with</p> <p>16 the receipt of EEOC Form 5 on August 11th.</p> <p>17 Q. What is Dynamic Security's policy</p> <p>18 with regard to receiving and reporting</p> <p>19 complaints of discrimination?</p> <p>20 A. That once a report of discrimination</p> <p>21 is received, it must be pushed up the chain.</p> <p>22 If it's not made to the local manager, it must</p> <p>23 be brought to the local manager. The local</p> <p>098:01 manager then briefs Sherry and receives</p> <p>02 instructions on investigations and methods of</p> <p>03 procedure after that.</p> <p>04 Q. Okay. And I think you identified her</p> <p>05 position earlier, but what is Sherry Spiers</p> <p>06 position?</p> <p>07 A. Human resources coordinator.</p> <p>08 Q. At what point would human resources</p> <p>09 let you, as the chief legal officer, know that</p> <p>10 they had received a complaint of</p> <p>11 discrimination?</p> <p>12 A. Typically at the end -- at the end of</p> <p>13 any investigation period.</p> <p>14 Q. So is it the duty of human resources</p> <p>15 to investigate the complaint?</p> <p>16 A. Human resources oversees the</p> <p>17 investigation. It is the duty of the</p> <p>18 individuals who are local to the incident to</p> <p>19 perform investigations, conduct interviews, and</p> <p>20 report this material to human resources.</p> <p>21 Q. Okay. And what investigation was</p>

		<p>22 completed with regard to Ms. Key's complaint in</p> <p>23 Exhibit 29?</p> <p>099:01 A. I don't know.</p>
34	099:13 - 100:03	<p>099:13 Q. Okay. So the investigation would be</p> <p>14 completed at the branch; is that correct?</p> <p>15 A. Correct.</p> <p>16 Q. Okay. And then they would report</p> <p>17 their findings to human resources?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. And then once human resources</p> <p>20 received those findings, is that when they</p> <p>21 would provide them to you and the legal?</p> <p>22 A. Yes.</p> <p>23 Q. Who would make the decisions as to</p> <p>100:01 whether or not a complaint was validated -- a</p> <p>02 valid complaint?</p> <p>03 A. It would typically fall on me.</p>
35	110:07 - 110:13	<p>110:07 Q. Does Dynamic Security review with</p> <p>08 their employees how to make reports of</p> <p>09 incidents?</p> <p>10 A. Yes. It's part of the training.</p> <p>11 Q. And are they instructed to make</p> <p>12 accurate reports?</p> <p>13 A. Yes.</p>
36	115:14 - 116:03	<p>115:14 Q. All right. If you'll flip for me to</p> <p>15 page 76. We have here Sherry specifically</p> <p>16 referencing to Gloria that an employee does not</p> <p>17 have to disclose a medical condition.</p> <p>18 What type of training would Gloria</p> <p>19 have received related to the disclosure of</p> <p>20 medical conditions?</p> <p>21 A. I'm not certain.</p> <p>22 Q. Would that be -- that type of</p> <p>23 information be covered in the training that you</p> <p>116:01 prepare as the chief legal officer?</p> <p>02 A. It is covered in what I train on in</p> <p>03 my presentations.</p>
37	117:01 - 117:10	<p>117:01 Q. Aside from the e-mail that was in</p> <p>02 Exhibit 38 telling Ms. Robinson that she --</p> <p>03 that Dynamic Security could not ask about</p> <p>04 medical conditions, would Ms. Robinson after</p> <p>05 that point have been given any refresher</p>

		<p>06 training or additional training about how to</p> <p>07 handle medical conditions?</p> <p>08 A. That would have been my</p> <p>09 recommendation. I do not know if that was --</p> <p>10 if that was the case then.</p>
38	119:23 - 120:01	<p>119:23 Q. Okay. Let me show you what's been</p> <p>120:01 marked as Exhibit 11.</p>
39	120:05 - 120:13	<p>120:05 Q. If you'll look over that document,</p> <p>06 and tell me if that is in fact your position</p> <p>07 statement.</p> <p>08 A. This is the position statement I</p> <p>09 admitted to EEOC.</p> <p>10 Q. Okay. And just for clarity, that's</p> <p>11 your signature on the last page which is</p> <p>12 HEA056?</p> <p>13 A. That is my signature.</p>
40	121:01 - 121:08	<p>121:01 Q. In this position statement, you</p> <p>02 identified the grooming standard as coming from</p> <p>03 HMMA; do you recall that?</p> <p>04 A. I do recall that.</p> <p>05 Q. Okay. What grooming standard are you</p> <p>06 referring to?</p> <p>07 A. I am referring to the policy that we</p> <p>08 were provided in e-mail.</p>
41	121:21 - 122:02	<p>121:21 Q. And I know we've talked a little bit</p> <p>22 about it already. Other than what you've</p> <p>23 already told me, did you do anything else to</p> <p>122:01 investigate or respond to this EEOC charge?</p> <p>02 A. No.</p>
42	127:10 - 127:15	<p>127:10 Q. In your capacity as the individual</p> <p>11 who determines whether Dynamic Security has</p> <p>12 retaliated against an individual in your</p> <p>13 investigations, is it your understanding that</p> <p>14 not placing her because she made a complaint</p> <p>15 would be retaliation?</p>
43	127:17 - 127:17	<p>127:17 A. That would be retaliation.</p>
44	139:03 - 139:13	<p>139:03 Q. What do you understand in your</p> <p>04 capacity for Dynamic Security to be the</p> <p>05 relationship between Dynamic Security and HEA</p> <p>06 or Hyundai Engineering?</p> <p>07 A. I don't know.</p>

		<p>08 Q. What about the relationship between</p> <p>09 Dynamic Security and HMMA?</p> <p>10 A. The relationship between Dynamic</p> <p>11 Security and HMMA is to provide security guard</p> <p>12 services and other services as required by the</p> <p>13 client.</p>
45	141:03 - 141:05	<p>141:03 Who would set the hours that</p> <p>04 individuals, assigned to Hyundai from Dynamic</p> <p>05 Security, would work?</p>
46	141:07 - 141:08	<p>141:07 A. HMMA or the client establishes the</p> <p>08 preferred shifts for their facility.</p>
47	160:08 - 162:03	<p>160:08 Q. Exhibit 57 is some documents from</p> <p>09 Gloria Robinson's personnel file.</p> <p>10 Are you aware -- well, first, if</p> <p>11 you'll look for me on the first page which is</p> <p>12 Bates labeled 420. Do you agree that it shows</p> <p>13 that she resigned?</p> <p>14 A. I agree.</p> <p>15 Q. Okay. And are you aware of why she</p> <p>16 resigned?</p> <p>17 A. No.</p> <p>18 Q. And if you'll flip over to page</p> <p>19 428 -- Bates labeled 428. This appears to be</p> <p>20 Ms. Robinson's resume. Would this have been</p> <p>21 maintained as part of her personnel file?</p> <p>22 A. No, it wouldn't have. We have many</p> <p>23 people who provide resumes when they're first</p> <p>161:01 hired.</p> <p>02 Q. If it's included in this production</p> <p>03 from Dynamic Security, is that -- would you</p> <p>04 agree that this particular document was</p> <p>05 maintained in her personnel file?</p> <p>06 A. It's indicative that it was in her</p> <p>07 personnel file.</p> <p>08 Q. Okay. And reviewing her experience</p> <p>09 here, 2015 to present -- which obviously we</p> <p>10 don't know what that present day is. But 2015</p> <p>11 to present indicates, Hyundai Motors slash</p> <p>12 Dynamic Security Services, Shift Commander; do</p> <p>13 you see that?</p> <p>14 A. I see.</p> <p>15 Q. Okay. And then prior to that, 2013</p>

		<p>16 to '15, Hyundai Motors slash Allied Barton; do</p> <p>17 you see that?</p> <p>18 A. I see that.</p> <p>19 Q. And then underneath that, Hyundai</p> <p>20 Motors, American Citadel Guard; is that</p> <p>21 correct?</p> <p>22 A. Yes, it reads American Citadel Guard.</p> <p>23 Q. Okay. And it looks like we're</p> <p>162:01 ranging in a time period here from 2008 to</p> <p>02 sometime after 2015, would you agree?</p> <p>03 A. I agree.</p>
48	171:05 - 171:20	<p>171:05 Q. What evidence do you have that</p> <p>06 Ms. Key did not file her lawsuit within 90 days</p> <p>07 of receiving the right to sue?</p> <p>08 A. That the EEOC mailed the -- mailed</p> <p>09 the response on March 1st, roughly. It's dated</p> <p>10 28th, 1st. And the lawsuit was not filed until</p> <p>11 October of 2019.</p> <p>12 Q. What evidence do you have that the</p> <p>13 EEOC mailed the notice to Ms. Key?</p> <p>14 A. I have -- I would have no knowledge</p> <p>15 that they did.</p> <p>16 Q. Ms. Key says that she did not receive</p> <p>17 a copy of the right to sue until it was filed</p> <p>18 in this lawsuit. Do you have any evidence to</p> <p>19 dispute that?</p> <p>20 A. No.</p>
49	173:01 - 173:02	<p>173:01 Q. Okay. How many EEOC complaints does</p> <p>02 Dynamic Security receive?</p>
50	173:04 - 173:18	<p>173:04 Q. Like for a large portion of your job</p> <p>05 to be responding to the EEOC, does Dynamic</p> <p>06 Security receive a lot of EEOC charges?</p> <p>07 A. I'm not really sure what a large</p> <p>08 number are. It's cyclical. There are times</p> <p>09 when we will receive two charges within two</p> <p>10 weeks of each other. There are times when I've</p> <p>11 gone five or six months without having</p> <p>12 something. I just -- I really don't know how</p> <p>13 to calculate that.</p> <p>14 Q. Could you give me an average, like</p> <p>15 over a year?</p> <p>16 A. I think it would be fair to say that</p>

		<p>17 we probably get an average of eight -- eight to</p> <p>18 ten a year.</p>
51	204:18 - 204:20	<p>204:18 Q. Did you understand that Ms. Williams</p> <p>19 was acting on behalf of HMMA at HMMA's</p> <p>20 discretion?</p>
52	205:01 - 205:19	<p>205:01 A. I believed that -- at the time when</p> <p>02 all of this was put together, I did not know</p> <p>03 that Cassandra Williams was not an MMA. I</p> <p>04 believed -- until five minutes ago, I believed</p> <p>05 that Cassandra was representing MM -- at HMMA.</p> <p>06 Q. And was that because she was working</p> <p>07 at the Hyundai facility?</p> <p>08 A. Yes. That was the only place I had</p> <p>09 ever seen her, so I just thought that was where</p> <p>10 she -- that was her work.</p> <p>11 Q. Did she wear any kind of uniform or</p> <p>12 anything like that?</p> <p>13 A. She would wear a standard shirt that</p> <p>14 just had a Hyundai emblem, just the name -- the</p> <p>15 name of the company, I think.</p> <p>16 Q. Did it say HMMA, or did it say</p> <p>17 Hyundai?</p> <p>18 A. As I recall, just -- I recall it</p> <p>19 saying Hyundai.</p>